

United States District Court
FOR THE
NORTHERN DISTRICT OF CALIFORNIA 9:11

E-filing

VENUE: SAN JOSE RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

CR 08

0479

UNITED STATES OF AMERICA,

v.

JW HRL

LUIS ENRIQUE DEMETRIO MENDOZA,

DEFENDANT(S).

INDICTMENT

42 USC § 408(a)(7)

10
JW

A true bill.

Angelella Mendez

Foreman

Filed in open court this 22 day of

July, 2008

Brenda Tolbert
Clerk
MARIA-ELENA JAMES

Bail, \$ _____

No Bail

1 JOSEPH RUSSONIELLO (CSBN 44332)
2 United States Attorney
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FILED
08 JUL 23 AM 9:11
RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

E-filing

8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA

10 SAN JOSE DIVISION

11 UNITED STATES OF AMERICA,

CR 08

- 0479

12 Plaintiff,

INDICTMENT

13 v.
14 LUIS ENRIQUE DEMETRIO MENDOZA)
15 a/k/a DEMETRIO MENDOZA, a/k/a)
16 LUIS E. MENDOZA,)
17 Defendant.)

JW HRL
VIOLATIONS: 42 U.S.C. § 408 (a)(7) -
Misuse of Social Security Number (Three
Counts)

SAN JOSE VENUE

19 INDICTMENT

20 The Grand Jury charges:

21 COUNT ONE: (42 U.S.C. § 408(a)(7)(B) - Misuse of Social Security Number)

22 In or about August 2006 to the present, within the Northern District of California and
23 elsewhere, the defendant

24 LUIS ENRIQUE DEMETRIO MENDOZA
25 a/k/a Demetrio Mendoza
a/k/a Luis E. Mendoza

26 for the purpose of obtaining something of value or for any other purpose, with the intent to
27 deceive, falsely represented to GEMB/JC Penney, that social security number 042-62-xxxx was
28 the social security number assigned by the Commissioner of Social Security to him, when in fact

1 such number was not the social security number assigned by the Commissioner of Social
2 Security to him, in violation of Title 42, United States Code, Section 408(a)(7)(B).

3 COUNT TWO: (42 U.S.C. § 408(a)(7)(B) - Misuse of Social Security Number)

4 In or about July 2006 to the present, within the Northern District of California and elsewhere,
5 the defendant

6 LUIS ENRIQUE DEMETRIO MENDOZA
7 a/k/a Demetrio Mendoza
a/k/a Luis E. Mendoza

8 for the purpose of obtaining something of value or for any other purpose, with the intent to
9 deceive, falsely represented to Credit One Bank, that social security number 042-62-xxxx was
10 the social security number assigned by the Commissioner of Social Security to him, when in fact
11 such number was not the social security number assigned by the Commissioner of Social
12 Security to him, in violation of Title 42, United States Code, Section 408(a)(7)(B).

13 COUNT THREE: (42 U.S.C. § 408(a)(7)(B) - Misuse of Social Security Number)

14 In or about November 2005 to the present, within the Northern District of California and
15 elsewhere, the defendant

16 LUIS ENRIQUE DEMETRIO MENDOZA
17 a/k/a Demetrio Mendoza
a/k/a Luis E. Mendoza

18 for the purpose of obtaining something of value or for any other purpose, with the intent to
19 deceive, falsely represented to GEMB/WalMart, that social security number 042-62-xxxx was
20 the social security account number assigned by the Commissioner of Social Security to him,

21 //

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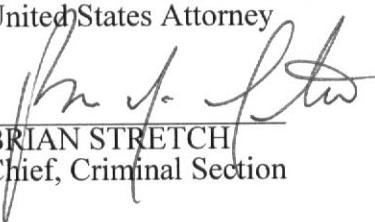
25 //

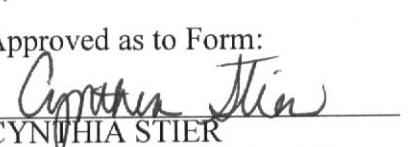
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1 when in fact such number was not the social security number assigned by the Commissioner of
2 Social Security to him, in violation of Title 42, United States Code, Section 408(a)(7)(B).

3
4 A True Bill
5 Dated: 7/22/08
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7 
8 FOREPERSON
9
10 JOSEPH RUSSONIELLO
United States Attorney
11 

12 BRIAN STRETCH
Chief, Criminal Section
13 

14 Approved as to Form:
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16 CYNTHIA STIER
17 Assistant United States Attorney
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AO 257 (Rev. 6/78)

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT

BY: COMPLAINT INFORMATION INDICTMENT
 SUPERSEDING

OFFENSE CHARGED

42 USC § 408(a)(7)

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- Petty
- Minor
- Misdemeanor
- Felony

PENALTY:

5 years imprisonment, \$250,000 fine, 3 years supervised release

PROCEEDING

Name of Complainant Agency, or Person (& Title, if any)

INTERNAL REVENUE SERVICE - S/A COLLEEN ROWE

person is awaiting trial in another Federal or State Court, give name of court

this person/proceeding is transferred from another district per (circle one) FRCrP 20, 21 or 40. Show District

this is a reprocution of charges previously dismissed
 which were dismissed on motion of:

U.S. Att'y Defense
 this prosecution relates to a pending case involving this same defendant
 prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under

SHOW DOCKET NO.

MAGISTRATE CASE NO.

08-mj-70425-HBL

Name and Office of Person Furnishing Information on JOSEPH P. RUSSONIELLO

THIS FORM

U.S. Att'y Other U.S. Agency

Name of Asst. U.S. Att'y
(if assigned)

CYNTHIA STIER, AUSA, TAX DIV.

PROCESS:

SUMMONS NO PROCESS*

WARRANT Bail Amount: _____

If Summons, complete following:

Arraignment Initial Appearance

Defendant Address:

*Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Date/Time: _____

Before Judge: _____

Comments:

FILED

Name of District Court, and/or Judge/Magistrate Location
NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE

08 JUL 23 AM 9:11

DEFENDANT - U.S.

RICHARD W. WIERING
CLERK, U.S. DISTRICT COURT
NORTHERN ENRIQUE DEMETRIO MENDOZA**DISTRICT COURT NUMBER**

CR 08

0479

JW
HRL**DEFENDANT****IS NOT IN CUSTODY**

- Has not been arrested, pending outcome this proceeding.
- 1) If not detained give date any prior summons was served on above charges
 - 2) Is a Fugitive
 - 3) Is on Bail or Release from (show District)

NORTHERN DISTRICT OF CALIFORNIA

IS IN CUSTODY

- 4) On this charge
- 5) On another conviction
- 6) Awaiting trial on other charges } Fed'l State

If answer to (6) is "Yes", show name of institution

Santa Clara County Jail

Has detainer been filed? Yes No } If "Yes" give date filed July 11, 2008

DATE OF ARREST Month/Day/Year
JULY 9, 2008

Or... if Arresting Agency & Warrant were not

Month/Day/Year

DATE TRANSFERRED TO U.S. CUSTODY

This report amends AO 257 previously submitted

ADDITIONAL INFORMATION OR COMMENTS**PROCESS:**

SUMMONS NO PROCESS*

WARRANT Bail Amount: _____

If Summons, complete following:

Arraignment Initial Appearance

Defendant Address:

Date/Time: _____

Before Judge: _____